S T A T E O F N E W Y O R K

9761

I N A S S E M B L Y

January 22, 2010

Introduced by M. of A. ORTIZ, JAFFEE, POWELL -- Multi-Sponsored by -- M. of A. HIKIND -- read once and referred to the Committee on Economic Development, Job Creation, Commerce and Industry

AN ACT to amend the general business law, in relation to prohibiting the advertisement of alcoholic beverages during television broadcasts of sporting events

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The general business law is amended by adding a new section 399-ff to read as follows:

S 399-FF. ADVERTISEMENT OF ALCOHOLIC BEVERAGES DURING TELEVISION BROADCASTS OF SPORTING EVENTS PROHIBITED. 1. FOR PURPOSES OF THIS SECTION, THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

A. "TELEVISION BROADCASTER" SHALL MEAN A TELEVISION STATION LICENSED BY THE FEDERAL COMMUNICATIONS COMMISSION, A TELEVISION BROADCAST NETWORK OR A CABLE TELEVISION NETWORK.

B. "TELEVISION BROADCAST NETWORK" SHALL MEAN AN ORGANIZATION WHICH PRODUCES AND/OR PURCHASES PROGRAMS INTENDED FOR TRANSMISSION BY AFFILIATED TELEVISION STATIONS LICENSED BY THE FEDERAL COMMUNICATIONS COMMISSION; AND

C. "CABLE TELEVISION NETWORK" MEANS AN ORGANIZATION WHICH PRODUCES AND/OR PURCHASES PROGRAMS INTENDED FOR TRANSMISSION EITHER BY DIRECT BROADCAST SATELLITE SYSTEMS OR BY CABLE SYSTEMS PURSUANT TO AN AFFILIATION OR SIMILAR AGREEMENT.

2. NO TELEVISION BROADCASTER, DIRECTLY OR INDIRECTLY, OR THROUGH AN AFFILIATE, SHALL CAUSE TO BE BROADCAST ON TELEVISION DURING THE COURSE OF ANY SPORTING EVENT, ANY ADVERTISEMENT OF LIQUOR, WINE, BEER OR OTHER ALCOHOLIC BEVERAGE.

3. NO PERSON, CORPORATION, PARTNERSHIP, LIMITED LIABILITY COMPANY OR ANY OTHER BUSINESS ENTITY OR COMPANY ENGAGED IN BUSINESS AS A PRODUCER, MANUFACTURER, BOTTLER, IMPORTER, DISTRIBUTOR, OR RETAILER OF LIQUOR, WINE, BEER OR ANY OTHER ALCOHOLIC BEVERAGE, DIRECTLY OR INDIRECTLY, OR THROUGH AN AFFILIATE, SHALL CAUSE TO BE BROADCAST ON TELEVISION DURING

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD15044-01-9

THE COURSE OF ANY SPORTING EVENT, ANY ADVERTISEMENT OF SUCH LIQUOR, WINE, BEER OR OTHER ALCOHOLIC BEVERAGE.

4. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO THE TELEVISION BROADCAST OF ANY SPORTING EVENT BETWEEN THE HOURS OF TEN O'CLOCK P.M. AND SIX O'CLOCK A.M.

S 2. This act shall take effect on the thirtieth day after it shall have become a law.